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9 Attorneys for Plaintiff,
 10 TV INTERACTIVE DATA CORPORATION

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

EMC

13 TV INTERACTIVE DATA CORPORATION, a
 14 California Corporation,

15 Plaintiff,

16 v.

17 SONY CORPORATION; SONY COMPUTER
 ENTERTAINMENT INC.; SONY COMPUTER
 18 ENTERTAINMENT AMERICA, INC.; SONY
 CORPORATION OF AMERICA; SONY
 19 ELECTRONICS, INC.; SAMSUNG ELECTRONICS
 CO., LTD.; SAMSUNG ELECTRONICS AMERICA,
 INC.; ROYAL PHILIPS ELECTRONICS N.V.;
 20 PHILIPS ELECTRONICS NORTH AMERICA
 CORPORATION; TOSHIBA CORPORATION;
 21 TOSHIBA AMERICA, INC.; TOSHIBA AMERICA
 CONSUMER PRODUCTS, L.L.C.; PANASONIC
 CORPORATION; PANASONIC CORPORATION OF
 22 NORTH AMERICA; VICTOR COMPANY OF
 JAPAN, LTD.; JVC AMERICAS CORP.; LG
 23 ELECTRONICS, INC.; LG ELECTRONICS U.S.A.,
 INC.; ZENITH ELECTRONICS LLC; PIONEER
 CORPORATION; PIONEER ELECTRONICS (USA)
 24 INC.; SHARP CORPORATION; SHARP
 ELECTRONICS CORPORATION; FUNAI
 25 ELECTRIC CO., LTD.; FUNAI CORPORATION,
 INC.; D&M HOLDINGS INC.; D&M HOLDINGS US,
 26 INC.; AND DENON ELECTRONICS (USA), LLC,

27 Defendants.
 28

C10 - 00475

COMPLAINT; DEMAND FOR
JURY TRIAL

COMPLAINT

Plaintiff TV Interactive Data Corporation (“TVI”), for its complaint against the above-named Defendants, states and alleges upon information and belief as follows:

INTRODUCTION

1. This is an action for patent infringement involving the automatic playback feature in Blu-ray and DVD players. TVI’s patent infringement claims asserted in this action were asserted in *TV Interactive Data Corp. v. Sony Corp., et al.*, Case No. 5:09-cv-04755-JF (N.D. Cal.), which TVI dismissed without prejudice on February 2, 2010, (the “Dismissed Action”), out of an abundance of caution, to avoid a potential challenge later to TVI’s standing to assert one or more of its patent infringement claims.

2. TVI initiated the Dismissed Action against the Defendants on October 6, 2009, alleging infringement of one or more claims of United States Patent No. 5,597,307, United States Patent No. 5,795,156, United States Patent No. 6,249,863, and United States Patent No. 6,418,532 by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that, after initial boot-up, automatically detect insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically start a process or execute an application without rebooting. TVI pleaded ownership of the patents asserted in the Dismissed Action and alleged that this Court had jurisdiction over the action.

3. A potential question concerning ownership of one or more patents asserted in the Dismissed Action arose after TVI initiated the Dismissed Action. It came to TVI’s attention that a document reflecting an assignment of U.S. Patent No. 5,957,695 to ZillionTV Corporation (“Zillion”) could be misinterpreted to also include an assignment of U.S. Patent No. 6,249,863 and of U.S. Patent No. 6,418,532, which are two of the four patents-in-suit.

4. In response to and after investigation into the matter, TVI promptly took measures to make unequivocal that it has — and has always had — clear title to all of the patents-in-suit with rights to enforce each patent for past, present, and future infringement as well as to collect all damages for past, present, and future infringement of each patent. A document restating TVI’s

1 patent rights with respect to the '863 patent and the '532 patent was executed on January 28,
2 2010. A true and correct copy of this document is attached hereto as Exhibit A.

3 5. In that document, entitled "Agreement Regarding Patent Rights," Zillion states,
4 *inter alia*:

5 WHEREAS, TVI and Zillion previously entered into that certain
6 Intellectual Property Purchase Agreement, dated on or about
7 September 26, 2007 (the "Purchase Agreement"), pursuant to which
8 TVI assigned to Zillion . . . United States Patent No. 5,957,695
entitled "Structure and method for displaying commercials and
sending purchase orders by computer";

9 WHEREAS, pursuant to and following the execution of the
10 Purchase Agreement, the parties recorded a document, dated January
11 24, 2008, with the United States Patent and Trademark Office, for
the purpose of recording the assignments effected by the Purchase
12 Agreement (the "Recorded Assignment");

13 WHEREAS, the parties subsequently discovered that the language
14 of the Recorded Assignment could be misinterpreted as broader than
the assignments effected by the Purchase Agreement and intended
15 by the parties; and

16 WHEREAS, the parties desire to clarify their intent under the
17 Purchase Agreement and cause to be recorded with United States
18 Patent and Trademark Office a document that clearly and correctly
reflects the assignments effected by the Purchase Agreement and
intended by the Parties.

19 AGREEMENT

20 NOW, THEREFORE, in consideration of the mutual covenants and
21 benefits set forth herein, as well as in the Purchase Agreement, the
parties hereby agree as follows:

22 I. Interpretation of the Intellectual Property Purchase Agreement.
23 Each of TVI and Zillion hereby affirm that the scope of the
24 assignment granted in Section 1 of the Purchase Agreement
25 included only the following two patents – (1) United States Patent
26 No. 5,839,905 . . . and (2) United States Patent No. 5,957,695 . . .
27 (collectively, the "Assigned Patents"). The assignment was not
28 intended to, and did not include, the following patents – (1) United
States Patent No. 6,249,863 entitled "Host Device Equipped With
Means For Starting A Process In Response To Detecting Insertion
Of A Storage Media", and (2) United States Patent No. 6,418,532
entitled "Host Device Equipped With Means For Starting A

Process In Response To Detecting Insertion Of A Storage Media” – or any other patent owned by TVI or to which TVI had rights to enforce prior to or on the Effective Date of the Purchase Agreement (the “Retained Patents”) Nor did the assignment transfer from TVI to Zillion any right to enforce the Retained Patents, or any right to collect royalties under or any right to recover for past, present or future damages from infringement of the Retained Patents (including without limitation, any causes of action, such as patent infringement claims, and enforcement rights, whether currently pending, filed, or otherwise). All right, title, and interest in the Retained Patents and all rights associated therewith were retained by, and are and at all times have been owned by, TVI.

See id at 1-2. The remaining provisions of the Agreement Regarding Patent Rights are reflected in Exhibit A.

6. Because TVI took measures after the initiation of the Dismissed Action to clarify its rights in and to one or more of the patents-in-suit, TVI, as a preventative measure and out of an abundance of caution, voluntarily dismissed without prejudice the Dismissed Action under Fed. R. Civ. P. 41(a)(1) to avoid any challenges that may relate to standing and this Court’s jurisdiction and to avoid a waste of judicial resources through needless motion practice relating to standing.

7. As the owner of the four patents asserted in the Dismissed Action, TVI hereby and with this Complaint reasserts its claims for infringement of those patents against the Defendants.

PARTIES

8. Plaintiff TVI is a California corporation located at 19870 Mendelsohn Lane, Saratoga, CA 95070.

9. Defendant Sony Corporation is a Japanese corporation, with its headquarters at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan, and doing business in this judicial district, at least through its wholly-owned subsidiaries.

10. Defendant Sony Computer Entertainment Inc. is a Japanese corporation, with its headquarters at 2-6-21, Minami-Aoyama, Minato-ku, Tokyo, 107-0062, Japan. It is a wholly-owned subsidiary of Sony Corporation, and conducts business in this judicial district, at least through its wholly-owned subsidiary.

11. Defendant Sony Computer Entertainment America, Inc. is a Delaware corporation, with its headquarters at 919 & 989 East Hillsdale Boulevard, Foster City, CA 94404, and doing business in this judicial district. It is a wholly-owned subsidiary of Sony Computer Entertainment Inc. and/or of Sony Corporation.

12. Defendant Sony Corporation of America is a New York corporation, with its headquarters at 550 Madison Avenue, New York, NY 10022. It is a wholly-owned subsidiary of Sony Corporation, and conducts business in this judicial district, at least through its wholly-owned subsidiary.

13. Defendant Sony Electronics, Inc. is a Delaware corporation, with its headquarters at 16530 Via Esprillo, San Diego, CA 92127, but doing business in this judicial district. It is a wholly-owned subsidiary of Sony Corporation of America and/or of Sony Corporation.

14. Sony Corporation effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiaries to at least sell the accused products in the United States, including in this judicial district. The term “Sony,” as it is used in this complaint, shall refer collectively to Defendants Sony Corporation, Sony Computer Entertainment Inc., Sony Computer Entertainment America, Inc., Sony Corporation of America, and Sony Electronics, Inc.

15. Defendant Samsung Electronics Co., Ltd. is a Korean corporation, with its headquarters at Samsung Electronics Bldg., 1320-10, Seocho 2-dong, Seocho-gu, Seoul 137-857, Korea, and doing business in this judicial district, at least through its wholly-owned subsidiary.

16. Defendant Samsung Electronics America, Inc. is a New York corporation, with its headquarters at 105 Challenger Road, Ridgefield Park, NJ 07660, and doing business in this judicial district. It is a wholly-owned subsidiary of Samsung Electronics Co., Ltd.

17. Samsung Electronics Co., Ltd. effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiary. The term “Samsung,” as it is used in this complaint, shall refer collectively to Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

18. Defendant Royal Philips Electronics N.V. is a Dutch corporation, with its headquarters at Amstelplein 2, Breitner Center, P.O. Box 77900, 1070 MX Amsterdam, The

1 Netherlands, and doing business in this judicial district, at least through its wholly-owned
2 subsidiary.

3 19. Defendant Philips Electronics North America Corporation is a Delaware
4 corporation, with its headquarters at 3000 Minuteman Road, M/S 109, Andover, MA 01810, but
5 doing business in this judicial district. It is a wholly-owned subsidiary of Royal Philips
6 Electronics N.V.

7 20. Royal Philips Electronics N.V. effectively directs and/or controls the infringing
8 conduct of the above wholly-owned subsidiary. The term “Philips,” as it is used in this
9 complaint, shall refer collectively to Defendants Royal Philips Electronics N.V. and Philips
10 Electronics North America Corporation.

11 21. Defendant Toshiba Corporation is a Japanese corporation, with its headquarters at
12 1-1, Shibaura 1-chome, Minato-ku, Tokyo 105-8001, Japan, and doing business in this judicial
13 district, at least through its wholly-owned subsidiaries.

14 22. Defendant Toshiba America, Inc. is a Delaware corporation, with its headquarters
15 at 1251 Avenue of the Americas, Suite 4110, New York, NY 10020, but doing business in this
16 judicial district. It is a holding company for Toshiba Corporation and is wholly-owned by
17 Toshiba Corporation.

18 23. Defendant Toshiba America Consumer Products, L.L.C. is a New Jersey limited
19 liability company, with its headquarters at 82 Totowa Road, Wayne, NJ 07470, but doing
20 business in this judicial district. It is an operating company of Toshiba America, Inc. and is
21 wholly-owned by Toshiba America, Inc.

22 24. Toshiba Corporation effectively directs and/or controls the infringing conduct of
23 the above wholly-owned subsidiaries. The term “Toshiba,” as it is used in this complaint, shall
24 refer collectively to Defendants Toshiba Corporation, Toshiba America, Inc., and Toshiba
25 America Consumer Products, L.L.C.

26 25. Panasonic Corporation is a Japanese corporation, with its headquarters at 1006,
27 Oaza Kadoma, Kadoma-shi, Osaka 571-8501, Japan, and doing business in this judicial district, at
28 least through its wholly-owned subsidiary.

26. Panasonic Corporation of North America is a Delaware corporation, with its headquarters at One Panasonic Way, Secaucus, NJ 07094, but doing business in this judicial district. It is a wholly-owned subsidiary of Panasonic Corporation.

27. Panasonic Corporation effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiary. The term “Panasonic,” as it is used in this complaint, shall refer collectively to Defendants Panasonic Corporation and Panasonic Corporation of North America.

28. Defendant Victor Company of Japan, Ltd. is a Japanese corporation, with its headquarters at 12, Moriya-cho 3-chome, Kanagawa-ku, Yokohama, 221-8528, Japan, and doing business in this judicial district, at least through its wholly-owned subsidiary.

29. Defendant JVC Americas Corp. is a Delaware corporation, with its headquarters at 1700 Valley Road, Wayne, NJ 07470, but doing business in this judicial district. It is a wholly-owned subsidiary of Victor Company of Japan, Ltd.

30. Victor Company of Japan, Ltd. effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiary. The term “JVC,” as it is used in this complaint, shall refer collectively to Defendants Victor Company of Japan, Ltd. and JVC Americas Corp.

31. Defendant LG Electronics, Inc. is a Korean corporation, with its headquarters at LG Twin Towers 20, Yeouido-dong, Yeongdeungpo-gu, Seoul, Korea 150-721, and doing business in this judicial district, at least through its wholly-owned subsidiaries.

32. Defendant LG Electronics U.S.A., Inc. is a Delaware corporation, with its headquarters at 1000 Sylvan Avenue, Englewood Cliffs, NJ 07632, but doing business in this judicial district. It is a wholly-owned subsidiary of LG Electronics, Inc.

33. Defendant Zenith Electronics LLC is a Delaware limited liability company, with its headquarters at 2000 Millbrook Drive, Lincolnshire, IL 60069, but doing business in this judicial district. It is a wholly-owned subsidiary of LG Electronics, Inc., but the accused Zenith products are at least sold and serviced by LG Electronics U.S.A., Inc.

34. LG Electronics, Inc. effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiaries. The term “LG,” as it is used in this complaint, shall refer

collectively to Defendants LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith Electronics LLC.

35. Defendant Pioneer Corporation is a Japanese corporation, with its headquarters at 1-4-1 Meguro, Meguro-ku, Tokyo 153-8654, Japan, and doing business in this judicial district, at least through its wholly-owned subsidiary.

36. Defendant Pioneer Electronics (USA) Inc. is a Delaware corporation, with its headquarters at 2265 East 220th Street, Long Beach, CA 90810, but doing business in this judicial district. It is a wholly-owned subsidiary of Pioneer Corporation.

37. Pioneer Corporation effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiary to at least sell the accused products in the United States, including in this judicial district. The term "Pioneer," as it is used in this complaint, shall refer collectively to Defendants Pioneer Corporation and Pioneer Electronics (USA) Inc.

38. Defendant Sharp Corporation is a Japanese corporation, with its headquarters at 22-22 Nagaike-cho, Abeno-ku, Osaka 545-8522, Japan, and doing business in this judicial district, at least through its wholly-owned subsidiary.

39. Defendant Sharp Electronics Corporation is a New York corporation, with its headquarters at Sharp Plaza, Mahwah, NJ 07495-1163, but doing business in this judicial district. It is a wholly-owned U.S. sales and marketing subsidiary of Sharp Corporation.

40. Sharp Corporation effectively directs and/or controls the infringing conduct of the above wholly-owned subsidiary to at least sell the accused products in the United States, including in this judicial district. The term "Sharp," as it is used in this complaint, shall refer collectively to Defendants Sharp Corporation and Sharp Electronics Corporation.

41. Defendant Funai Electric Co., Ltd. is a Japanese corporation, with its headquarters at 7-7-1 Nakagaito, Daito City, Osaka 574-0013, Japan, and doing business in this judicial district, at least through its wholly-owned subsidiary.

42. Defendant Funai Corporation, Inc. is a New Jersey corporation, with its headquarters at 201 Route 17 North, Suite 903, Rutherford, NJ 07070, but doing business in this

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1 judicial district. It is a wholly-owned North American sales and marketing subsidiary of Funai
2 Electric Co., Ltd. for consumer electronic products.

3 43. Funai Electric Co., Ltd. effectively directs and/or controls the infringing conduct
4 of the above wholly-owned subsidiary to at least sell the accused products in the United States,
5 including in this judicial district. The term “Funai,” as it is used in this complaint, shall refer
6 collectively to Defendants Funai Electric Co., Ltd. and Funai Corporation, Inc.

7 44. Defendant D&M Holdings Inc. is a Japanese corporation, with its headquarters at
8 D&M Building, 2-1 Nisshin-cho, Kawasaki-ku, Kawasaki-shi, Kanagawa 210-8569, Japan, and
9 doing business in this judicial district, at least through its wholly-owned subsidiaries.

10 45. Defendant D&M Holdings US, Inc. is a New Jersey corporation, with its
11 headquarters at 100 Corporate Drive, Mahwah, NJ 07430-2041, but doing business in this judicial
12 district. It is a subsidiary of D&M Holdings Inc. and is the United States regional sales and
13 marketing headquarters for D&M Holdings Inc. Through its subsidiaries, D&M Holdings US
14 Inc. engages in the design, manufacture, and sale of, *inter alia*, video equipments for D&M
15 Holdings Inc. D&M Holdings Inc. claims to own the Denon brand.

16 46. Defendant Denon Electronics (USA), LLC is a New Jersey limited liability
17 company, with its headquarters at 100 Corporate Drive, Mahwah, NJ 07430-2041, but doing
18 business in this judicial district. It is a wholly-owned subsidiary of D&M Holdings Inc. D&M
19 Holdings Inc. claims to own the Denon brand.

20 47. D&M Holdings Inc. effectively directs and/or controls the infringing conduct of
21 the above subsidiaries to at least sell the accused products in the United States, including in this
22 judicial district. The term “Denon,” as it is used in this complaint, shall refer collectively to
23 Defendants D&M Holdings Inc., D&M Holdings US, Inc., and Denon Electronics (USA), LLC.

24 **JURISDICTION**

25 48. This Court has jurisdiction over TVI’s patent infringement claims under 28 U.S.C.
26 § 1338(a), because these claims arise under Acts of Congress relating to patents including, but not
27 limited to, 35 U.S.C. §§ 271(a)-(c), 281, and 283-285.

28 49. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and § 1400(b).

INTRADISTRICT ASSIGNMENT

50. This is a patent infringement action and, under Civil L.R. 3-2(c) and General Order 44 of this Court, venue is proper in any courthouse in this District. However, pursuant to Civil L.R. 3-3(c) and 3-12(b), TVI will file an administrative motion in the Dismissed Action to consider whether this case should be ordered a “related case” to the Dismissed Action. The Dismissed Action, which is no longer pending, was venued in the United District Court for the Northern District of California, San Jose Division, before the Honorable Jeremy Fogel, United States District Judge, and the Honorable Howard R. Lloyd, United States Magistrate Judge. While the Dismissed Action was originally filed in the San Francisco Division, it was ultimately assigned to the San Jose Division. In accordance with the intent of Civil L.R. 3-3(c), which requires a party who dismisses an action and subsequently refiles it, which is the case here, to not refile the action “for the purposes of obtaining an *assignment* in contravention of Civil L.R. 3-3(b)[,]” (emphasis added), TVI is filing this complaint in the San Jose Division. TVI seeks to have this action assigned to Judge Fogel, who was responsible for the Dismissed Action.

FACTUAL BACKGROUND***THE PATENTS-IN-SUIT***

51. On January 28, 1997, the United States Patent and Trademark Office (“USPTO”) issued United States Patent No. 5,597,307 (“the ’307 patent”), entitled Method For Starting Up A Process Automatically On Insertion Of A Storage Media Into A Host Device, to TVI, as assignee of inventors Peter M. Redford and Donald S. Stern.

52. On November 17, 2005, the USPTO commenced an ex parte reexamination proceeding for the ’307 patent.

53. On January 20, 2009, the USPTO issued an Ex Parte Reexamination Certificate for the ’307 patent. A copy of the ’307 patent and the Ex Parte Reexamination Certificate is attached hereto as Exhibit B.

54. TVI is the owner of the ’307 patent.

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1 55. On August 18, 1998, the USPTO issued United States Patent No. 5,795,156 (“the
2 ’156 patent”), entitled Host Device Equipped With Means For Starting A Process In Response To
3 Detecting Insertion Of A Storage Media, to TVI, as assignee of inventors Peter M. Redford and
4 Donald S. Stern.

5 56. On November 15, 2005, the USPTO commenced an ex parte reexamination
6 proceeding for the ’156 patent.

7 57. On April 8, 2008, the USPTO issued an Ex Parte Reexamination Certificate for the
8 ’156 patent. A copy of the ’156 patent and the Ex Parte Reexamination Certificate is attached
9 hereto as Exhibit C.

10 58. TVI is the owner of the ’156 patent.

11 59. On June 19, 2001, the USPTO issued United States Patent No. 6,249,863 (“the
12 ’863 patent”), entitled Host Device Equipped With Means For Starting A Process In Response To
13 Detecting Insertion Of A Storage Media, to TVI, as assignee of inventors Peter M. Redford and
14 Donald S. Stern.

15 60. On November 4, 2005, the USPTO commenced an ex parte reexamination
16 proceeding for the ’863 patent.

17 61. On January 1, 2008, the USPTO issued an Ex Parte Reexamination Certificate for
18 the ’863 patent. A copy of the ’863 patent and the Ex Parte Reexamination Certificate is attached
19 hereto as Exhibit D.

20 62. TVI is the owner of the ’863 patent.

21 63. On July 9, 2002, the USPTO issued United States Patent No. 6,418,532 (“the ’532
22 patent”), entitled Host Device Equipped With Means For Starting A Process In Response To
23 Detecting Insertion Of A Storage Media, to TVI, as assignee of inventors Peter M. Redford and
24 Donald S. Stern.

25 64. On November 21, 2005, the USPTO commenced an inter partes reexamination
26 proceeding for the ’532 patent.

27 65. On September 30, 2008, the USPTO issued an Inter Partes Reexamination

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1 Certificate for the '532 patent. A copy of the '532 patent and the Inter Partes Reexamination
2 Certificate is attached hereto as Exhibit E.

3 66. TVI is the owner of the '532 patent.

4 67. TVI exercises its rights under the '307, '156, '863, and '532 patents (collectively
5 the "patents-in-suit") by granting license rights. Microsoft Corporation is a company that has
6 taken a license to the patents-in-suit.

7 ***FACTS RELATING TO SONY'S INFRINGEMENT OF THE PATENTS-IN-SUIT***

8 68. Defendant Sony became aware of the patents-in-suit no later than October 20,
9 2004, when TVI initiated a lawsuit captioned *TV Interactive Data Corp. v. Fujitsu, Ltd., et al.*,
10 Case No. C 04-03367 (JSW) (N.D. Cal.) (the "OEM lawsuit"). In the OEM lawsuit, TVI alleged
11 that Sony Corporation, Sony Corporation of America, and Sony Electronics, Inc. infringed the
12 patents-in-suit by making, using, selling, offering to sell, supplying, and/or causing to supplied,
13 personal computers pre-installed with versions of Microsoft Windows™ operating system
14 software that contain the AutoPlay feature.

15 69. TVI had originally brought its claims for patent infringement by the Windows™
16 operating systems containing the AutoPlay feature against only Microsoft Corporation in a case
17 captioned *TV Interactive Data Corp. v. Microsoft Corp.*, Case No. C 02-02385 (JSW) (EDL)
18 (N.D. Cal.) (the "Microsoft lawsuit"). However, TVI brought the OEM lawsuit because
19 Microsoft Corporation denied its liability, indicating instead that the original equipment
20 manufacturers that pre-installed the Windows™ products were liable for any infringement of the
21 asserted TVI patents.

22 70. TVI and Microsoft Corporation settled the Microsoft lawsuit on October 7, 2005.

23 71. TVI and Microsoft Corporation shared the Confidential Settlement and License
24 Agreements, dated October 28, 2005 (the "Microsoft Settlement Agreement"), with designated
25 counsel for the OEM lawsuit defendants pursuant to a February 10, 2006 confidentiality
26 agreement.

27 72. TVI and the OEM lawsuit defendants, including the three Sony entities identified
28 in Paragraph 68, agreed to dismiss the OEM lawsuit with prejudice. That agreement, however,

1 did not grant the OEM lawsuit defendants rights to make, use, offer to sell, sell, import, or
2 otherwise practice the asserted TVI patents beyond those rights conferred in the Microsoft
3 Settlement Agreement.

4 73. In light of the settlement of the Microsoft lawsuit, TVI and the OEM lawsuit
5 defendants stipulated to the dismissal of the OEM lawsuit. An order granting the stipulated
6 dismissal was executed on February 16, 2006. A true and correct copy of the Stipulation for
7 Dismissal With Prejudice and Order Thereon is attached hereto as Exhibit F.

8 74. Despite Sony's knowledge of the patents-in-suit and the limited scope of their
9 protection under those patents, Sony has nevertheless elected to engage in activity that infringes
10 one or more claims of the patents-in-suit.

11 75. Defendants Sony Corporation, Sony Corporation of America, and Sony
12 Electronics, Inc. make, use, sell, offer to sell, import, supply, and/or cause to be supplied, in or
13 into the United States, Blu-ray player and/or DVD player devices containing the automatic
14 playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The
15 accused products or devices include the Sony BDP-S550 and the Sony DVPNS700H/B, and all
16 other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting
17 insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a
18 process or executing an application without rebooting.

19 76. Defendants Sony Corporation, Sony Computer Entertainment Inc., and Sony
20 Computer Entertainment America, Inc. make, use, sell, offer to sell, import, supply, and/or cause
21 to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing
22 the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532
23 patents. The accused products or devices include the Sony PS3, and all other Blu-ray players and
24 DVD players capable of, after initial boot-up, automatically detecting insertion of a storage
25 medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an
26 application without rebooting.

27 77. Sony offers to sell or sells within the United States or imports into the United
28 States material components of TVI's patented inventions, such as software loaded onto the

1 accused Sony devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused
2 Sony devices. Sony knows that those material components are (1) especially made or especially
3 adapted for use with the infringing automatic playback technology in the accused Sony devices,
4 resulting in infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not
5 staple articles or commodities of commerce suitable for substantial non-infringing use.

6 78. Sony's customers who purchase the accused Sony devices use those devices in a
7 manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly
8 infringes one or more claims of the patents-in-suit.

9 79. Sony actively and knowingly induces its customers who purchase the accused
10 Sony devices to directly infringe one or more claims of the patents-in-suit.

11 80. Sony configures the accused Sony devices to automatically run and/or utilize the
12 automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused
13 Sony devices by a user. Sony also, or alternatively, instructs its customers through manuals
14 and/or other means to enable and/or use the automatic playback technology in the accused Sony
15 devices.

16 81. At least the actions described in the preceding paragraph induce Sony's customers
17 to directly infringe one or more claims of the patents-in-suit. Sony, furthermore, knows or should
18 know that its actions induce actual infringement.

19 82. Sony's direct and indirect infringement of the '307, '156, '863, and '532 patents
20 has injured TVI and will cause irreparable injury in the future unless Sony is enjoined from
21 infringing the patents.

22 83. Sony's infringement, furthermore, is and has been willful. Sony has had
23 knowledge of the patents-in-suit since at least October 2004 – patents that have undergone a
24 thorough reexamination by the United States Patent and Trademark Office. Sony is aware that
25 any protection it presently enjoys under the patents-in-suit is limited in scope, as made clear in the
26 Stipulation for Dismissal With Prejudice and Order Thereon. (Ex. F.) Notwithstanding these
27 facts and this knowledge, Sony elected to engage in activity that infringes the patents-in-suit.
28 Sony did not even attempt to contact TVI to discuss acquiring a potential license for the

1 infringing activity. Sony acted and continues to act in the face of an objectively high likelihood
2 that those actions constitute and constituted infringement of the patents-in-suit. Sony is and was
3 aware of its infringement. At a minimum, Sony's infringement is (and was) so obvious that Sony
4 should know (and should have known) that its actions result in (and resulted in) infringement of
5 one or more claims of the patents-in-suit.

6 ***FACTS RELATING TO SAMSUNG'S INFRINGEMENT OF THE PATENTS-IN-SUIT***

7 84. Defendant Samsung became aware of the patents-in-suit no later than October 6,
8 2009, when TVI initiated the Dismissed Action.

9 85. Samsung makes, uses, sells, offers to sell, imports, supplies, and/or causes to be
10 supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the
11 automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents.
12 The accused products or devices include the Samsung DVD1080P8 and the Samsung BD-P2500,
13 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically
14 detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically
15 starting a process or executing an application without rebooting.

16 86. Samsung offers to sell or sells within the United States or imports into the United
17 States material components of TVI's patented inventions, such as software loaded onto the
18 accused Samsung devices, and/or firmware and/or hardware (e.g., chipsets) contained in the
19 accused Samsung devices. Samsung knows that those material components are (1) especially
20 made or especially adapted for use with the infringing automatic playback technology in the
21 accused Samsung devices, resulting in infringement of apparatus and/or method claims of the
22 patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial
23 non-infringing use.

24 87. Samsung's customers who purchase the accused Samsung devices use those
25 devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs)
26 that directly infringes one or more claims of the patents-in-suit.

27 88. Samsung actively and knowingly induces its customers who purchase the accused
28 Samsung devices to directly infringe one or more claims of the patents-in-suit.

89. Samsung configures the accused Samsung devices to automatically run and/or utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused Samsung devices by a user. Samsung also, or alternatively, instructs its customers through manuals and/or other means to enable and/or use the automatic playback technology in the accused Samsung devices.

90. At least the actions described in the preceding paragraph induce Samsung's customers to directly infringe one or more claims of the patents-in-suit. Samsung, furthermore, knows or should know that its actions induce actual infringement.

91. Samsung's direct and indirect infringement of the '307, '156, '863, and '532 patents has injured TVI and will cause irreparable injury in the future unless Samsung is enjoined from infringing the patents.

FACTS RELATING TO PHILIP'S INFRINGEMENT OF THE PATENTS-IN-SUIT

92. Defendant Philips became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

93. Philips makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the Philips BDP7200, Philips DVP5900, Magnavox MDV453, and Magnavox NB500MS9, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

94. Philips offers to sell or sells within the United States or imports into the United States material components of TVI's patented inventions, such as software loaded onto the accused Philips devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused Philips devices. Philips knows that those material components are (1) especially made or especially adapted for use with the infringing automatic playback technology in the accused Philips devices, resulting in infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial non-

1 infringing use.

2 95. Philips' customers who purchase the accused Philips devices use those devices in a
3 manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly
4 infringes one or more claims of the patents-in-suit.

5 96. Philips actively and knowingly induces its customers who purchase the accused
6 Philips devices to directly infringe one or more claims of the patents-in-suit.

7 97. Philips configures the accused Philips devices to automatically run and/or utilize
8 the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused
9 Philips devices by a user. Philips also, or alternatively, instructs its customers through manuals
10 and/or other means to enable and/or use the automatic playback technology in the accused Philips
11 devices.

12 98. At least the actions described in the preceding paragraph induce Philips' customers
13 to directly infringe one or more claims of the patents-in-suit. Philips, furthermore, knows or
14 should know that its actions induce actual infringement.

15 99. Philips' direct and indirect infringement of the '307, '156, '863, and '532 patents
16 has injured TVI and will cause irreparable injury in the future unless Philips is enjoined from
17 infringing the patents.

18 ***FACTS RELATING TO TOSHIBA'S INFRINGEMENT OF THE PATENTS-IN-SUIT***

19 100. Defendant Toshiba became aware of the patents-in-suit no later than October 20,
20 2004, when TVI initiated the OEM lawsuit. In that lawsuit, TVI alleged that Toshiba Corporation
21 and Toshiba America, Inc. infringed the patents-in-suit by making, using, selling, offering to sell,
22 supplying, and/or causing to be supplied, personal computers pre-installed with versions of
23 Microsoft Windows™ operating system software that contain the AutoPlay feature.

24 101. TVI had originally brought its claims for patent infringement by the Windows™
25 operating systems containing the AutoPlay feature against only Microsoft Corporation in the
26 Microsoft lawsuit. However, TVI brought the OEM lawsuit because Microsoft Corporation
27 denied its liability, indicating instead that the original equipment manufacturers that pre-installed
28 the Windows™ products were liable for any infringement of the asserted TVI patents.

102. TVI and Microsoft Corporation settled the Microsoft lawsuit on October 7, 2005.

103. TVI and Microsoft Corporation shared the Microsoft Settlement Agreement with designated counsel for the OEM lawsuit defendants pursuant to a February 10, 2006 confidentiality agreement.

104. TVI and the OEM lawsuit defendants, including the two Toshiba entities identified in Paragraph 100, agreed to dismiss the OEM lawsuit with prejudice. That agreement, however, did not grant the OEM lawsuit defendants rights to make, use, offer to sell, sell, import, or otherwise practice the asserted TVI patents beyond those rights conferred in the Microsoft Settlement Agreement.

105. In light of the settlement of the Microsoft lawsuit, TVI and the OEM lawsuit defendants stipulated to the dismissal of the OEM lawsuit. An order granting the stipulated dismissal was executed on February 16, 2006. *See* Exhibit F.

106. Despite Toshiba's knowledge of the patents-in-suit and the limited scope of their protection under those patents, Toshiba has nevertheless elected to engage in activity that infringes one or more claims of the patents-in-suit.

107. Toshiba makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the Toshiba XD-E500 and the Toshiba SD-6100, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

108. Toshiba's customers who purchase the accused Toshiba devices use those devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly infringes one or more claims of the patents-in-suit.

109. Toshiba actively and knowingly induces its customers who purchase the accused Toshiba devices to directly infringe one or more claims of the patents-in-suit.

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110. Toshiba configures the accused Toshiba devices to automatically run and/or utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused Toshiba devices by a user. Toshiba also, or alternatively, instructs its customers through manuals and/or other means to enable and/or use the automatic playback technology in the accused Toshiba devices.

111. At least the actions described in the preceding paragraph induce Toshiba's customers to directly infringe one or more claims of the patents-in-suit. Toshiba, furthermore, knows or should know that its actions induce actual infringement.

112. Toshiba's direct and indirect infringement of the '307, '156, '863, and '532 patents has injured TVI and will cause irreparable injury in the future unless Toshiba is enjoined from infringing the patents.

113. Toshiba's infringement, furthermore, is and has been willful. Toshiba has had knowledge of the patents-in-suit since at least October 2004 – patents that have undergone a thorough reexamination by the United States Patent and Trademark Office. Toshiba is aware that any protection it presently enjoys under the patents-in-suit is limited in scope, as made clear in the Stipulation for Dismissal With Prejudice and Order Thereon (Ex. F). Notwithstanding these facts and this knowledge, Toshiba elected to engage in activity that infringes the patents-in-suit. Toshiba did not even attempt to contact TVI to discuss acquiring a potential license for the infringing activity. Toshiba acted and continues to act in the face of an objectively high likelihood that those actions constitute and constituted infringement of the patents-in-suit. Toshiba is and was aware of its infringement. At a minimum, Toshiba's infringement is (and was) so obvious that Toshiba should know (and should have known) that its actions result in (and resulted in) infringement of one or more claims of the patents-in-suit.

FACTS RELATING TO PANASONIC'S INFRINGEMENT OF THE PATENTS-IN-SUIT

114. Defendant Panasonic became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

115. Panasonic makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the

1 automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents.
 2 The accused products or devices include the Panasonic DMP-BD35 and the Panasonic DVD-S54,
 3 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically
 4 detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically
 5 starting a process or executing an application without rebooting.

6 116. Panasonic offers to sell or sells within the United States or imports into the United
 7 States material components of TVI's patented inventions, such as software loaded onto the
 8 accused Panasonic devices, and/or firmware and/or hardware (e.g., chipsets) contained in the
 9 accused Panasonic devices. Panasonic knows that those material components are (1) especially
 10 made or especially adapted for use with the infringing automatic playback technology in the
 11 accused Panasonic devices, resulting in infringement of apparatus and/or method claims of the
 12 patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial
 13 non-infringing use.

14 117. Panasonic's customers who purchase the accused Panasonic devices use those
 15 devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs)
 16 that directly infringes one or more claims of the patents-in-suit.

17 118. Panasonic actively and knowingly induces its customers who purchase the accused
 18 Panasonic devices to directly infringe one or more claims of the patents-in-suit.

19 119. Panasonic configures the accused Panasonic devices to automatically run and/or
 20 utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the
 21 accused Panasonic devices by a user. Panasonic also, or alternatively, instructs its customers
 22 through manuals and/or other means to enable and/or use the automatic playback technology in
 23 the accused Panasonic devices.

24 120. At least the actions described in the preceding paragraph induce Panasonic's
 25 customers to directly infringe one or more claims of the patents-in-suit. Panasonic, furthermore,
 26 knows or should know that its actions induce actual infringement.

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121. Panasonic's direct and indirect infringement of the '307, '156, '863, and '532 patents has injured TVI and will cause irreparable injury in the future unless Panasonic is enjoined from infringing the patents.

FACTS RELATING TO JVC'S INFRINGEMENT OF THE PATENTS-IN-SUIT

122. Defendant JVC became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

123. JVC makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the JVC DR-MV79B and the JVC XV-BP1, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

124. JVC offers to sell or sells within the United States or imports into the United States material components of TVI's patented inventions, such as software loaded onto the accused JVC devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused JVC devices. JVC knows that those material components are (1) especially made or especially adapted for use with the infringing automatic playback technology in the accused JVC devices, resulting in infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial non-infringing use.

125. JVC's customers who purchase the accused JVC devices use those devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly infringes one or more claims of the patents-in-suit.

126. JVC actively and knowingly induces its customers who purchase the accused JVC devices to directly infringe one or more claims of the patents-in-suit.

127. JVC configures the accused JVC devices to automatically run and/or utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused JVC devices by a user. JVC also, or alternatively, instructs its customers through manuals and/or other

1 means to enable and/or use the automatic playback technology in the accused JVC devices.

2 128. At least the actions described in the preceding paragraph induce JVC's customers
3 to directly infringe one or more claims of the patents-in-suit. JVC, furthermore, knows or should
4 know that its actions induce actual infringement.

5 129. JVC's direct and indirect infringement of the '307, '156, '863, and '532 patents
6 has injured TVI and will cause irreparable injury in the future unless JVC is enjoined from
7 infringing the patents.

8 ***FACTS RELATING TO LG'S INFRINGEMENT OF THE PATENTS-IN-SUIT***

9 130. Defendant LG became aware of the patents-in-suit no later than October 6, 2009,
10 when TVI initiated the Dismissed Action.

11 131. Defendants LG Electronics, Inc. and LG Electronics U.S.A., Inc. make, use, sell,
12 offer to sell, import, supply, and/or cause to be supplied, in or into United States, Blu-ray player
13 and/or DVD player devices containing the automatic playback technology disclosed and claimed
14 in the '307, '156, '863, and '532 patents. The accused products or devices include the LG BD300
15 and the LG DN898, and all other Blu-ray players and DVD players capable of, after initial boot-
16 up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
17 automatically starting a process or executing an application without rebooting.

18 132. Defendants LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith
19 Electronics LLC make, use, sell, offer to sell, import, supply, and/or cause to be supplied, in or
20 into the United States, Blu-ray player and/or DVD player devices containing the automatic
21 playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The
22 accused products or devices include the Zenith DVB612 and all other Blu-ray players and DVD
23 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
24 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
25 without rebooting.

26 133. LG offers to sell or sells within the United States or imports into the United States
27 material components of TVI's patented inventions, such as software loaded onto the accused LG
28 devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused LG devices.

1 LG knows that those material components are (1) especially made or especially adapted for use
2 with the infringing automatic playback technology in the accused LG devices, resulting in
3 infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not staple
4 articles or commodities of commerce suitable for substantial non-infringing use.

5 134. LG's customers who purchase the accused LG devices use those devices in a
6 manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly
7 infringes one or more claims of the patents-in-suit.

8 135. LG actively and knowingly induces its customers who purchase the accused LG
9 devices to directly infringe one or more claims of the patents-in-suit.

10 136. LG configures the accused LG devices to automatically run and/or utilize the
11 automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused LG
12 devices by a user. LG also, or alternatively, instructs its customers through manuals and/or other
13 means to enable and/or use the automatic playback technology in the accused LG devices.

14 137. At least the actions described in the preceding paragraph induce LG's customers to
15 directly infringe one or more claims of the patents-in-suit. LG, furthermore, knows or should
16 know that its actions induce actual infringement.

17 138. LG's direct and indirect infringement of the '307, '156, '863, and '532 patents has
18 injured TVI and will cause irreparable injury in the future unless LG is enjoined from infringing
19 the patents.

20 ***FACTS RELATING TO PIONEER'S INFRINGEMENT OF THE PATENTS-IN-SUIT***

21 139. Defendant Pioneer became aware of the patents-in-suit no later than October 6,
22 2009, when TVI initiated the Dismissed Action.

23 140. Pioneer makes, uses, sells, offers to sell, imports, supplies, and/or causes to be
24 supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the
25 automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents.
26 The accused products or devices include the Pioneer BDP-51FD and the Pioneer DV-410V-K,
27 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically
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1 detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically
2 starting a process or executing an application without rebooting.

3 141. Pioneer offers to sell or sells within the United States or imports into the United
4 States material components of TVI's patented inventions, such as software loaded onto the
5 accused Pioneer devices, and/or firmware and/or hardware (e.g., chipsets) contained in the
6 accused Pioneer devices. Pioneer knows that those material components are (1) especially made
7 or especially adapted for use with the infringing automatic playback technology in the accused
8 Pioneer devices, resulting in infringement of apparatus and/or method claims of the patents-in-
9 suit, and (2) are not staple articles or commodities of commerce suitable for substantial non-
10 infringing use.

11 142. Pioneer's customers who purchase the accused Pioneer devices use those devices
12 in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that
13 directly infringes one or more claims of the patents-in-suit.

14 143. Pioneer actively and knowingly induces its customers who purchase the accused
15 Pioneer devices to directly infringe one or more claims of the patents-in-suit.

16 144. Pioneer configures the accused Pioneer devices to automatically run and/or utilize
17 the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused
18 Pioneer devices by a user. Pioneer also, or alternatively, instructs its customers through manuals
19 and/or other means to enable and/or use the automatic playback technology in the accused
20 Pioneer devices.

21 145. At least the actions described in the preceding paragraph induce Pioneer's
22 customers to directly infringe one or more claims of the patents-in-suit. Pioneer, furthermore,
23 knows or should know that its actions induce actual infringement.

24 146. Pioneer's direct and indirect infringement of the '307, '156, '863, and '532 patents
25 has injured TVI and will cause irreparable injury in the future unless Pioneer is enjoined from
26 infringing the patents.

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FACTS RELATING TO SHARP'S INFRINGEMENT OF THE PATENTS-IN-SUIT

147. Defendant Sharp became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

148. Sharp makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the Sharp BD-HP50U and the Sharp BD-HP22U, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

149. Sharp offers to sell or sells within the United States or imports into the United States material components of TVI's patented inventions, such as software loaded onto the accused Sharp devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused Sharp devices. Sharp knows that those material components are (1) especially made or especially adapted for use with the infringing automatic playback technology in the accused Sharp devices, resulting in infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial non-infringing use.

150. Sharp's customers who purchase the accused Sharp devices use those devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly infringes one or more claims of the patents-in-suit.

151. Sharp actively and knowingly induces its customers who purchase the accused Sharp devices to directly infringe one or more claims of the patents-in-suit.

152. Sharp configures the accused Sharp devices to automatically run and/or utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused Sharp devices by a user. Sharp also, or alternatively, instructs its customers through manuals and/or other means to enable and/or use the automatic playback technology in the accused Sharp devices.

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153. At least the actions described in the preceding paragraph induce Sharp's customers to directly infringe one or more claims of the patents-in-suit. Sharp, furthermore, knows or should know that its actions induce actual infringement.

154. Sharp's direct and indirect infringement of the '307, '156, '863, and '532 patents has injured TVI and will cause irreparable injury in the future unless Sharp is enjoined from infringing the patents.

FACTS RELATING TO FUNAI'S INFRINGEMENT OF THE PATENTS-IN-SUIT

155. Defendant Funai became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

156. Funai makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the Sylvania NB500SL9, the Sylvania DP170SL8, and the Emerson LD195EM8, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

157. Funai offers to sell or sells within the United States or imports into the United States material components of TVI's patented inventions, such as software loaded onto the accused Funai devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused Funai devices. Funai knows that those material components are (1) especially made or especially adapted for use with the infringing automatic playback technology in the accused Funai devices, resulting in infringement of apparatus and/or method claims of the patents-in-suit, and (2) are not staple articles or commodities of commerce suitable for substantial non-infringing use.

158. Funai's customers who purchase the accused Funai devices use those devices in a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that directly infringes one or more claims of the patents-in-suit.

159. Funai actively and knowingly induces its customers who purchase the accused Funai devices to directly infringe one or more claims of the patents-in-suit.

160. Funai configures the accused Funai devices to automatically run and/or utilize the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused Funai devices by a user. Funai also, or alternatively, instructs its customers through manuals and/or other means to enable and/or use the automatic playback technology in the accused Funai devices.

161. At least the actions described in the preceding paragraph induce Funai's customers to directly infringe one or more claims of the patents-in-suit. Funai, furthermore, knows or should know that its actions induce actual infringement.

162. Funai's direct and indirect infringement of the '307, '156, '863, and '532 patents has injured TVI and will cause irreparable injury in the future unless Funai is enjoined from infringing the patents.

FACTS RELATING TO DENON'S INFRINGEMENT OF THE PATENTS-IN-SUIT

163. Defendant Denon became aware of the patents-in-suit no later than October 6, 2009, when TVI initiated the Dismissed Action.

164. Denon makes, uses, sells, offers to sell, imports, supplies, and/or causes to be supplied, in or into the United States, Blu-ray player and/or DVD player devices containing the automatic playback technology disclosed and claimed in the '307, '156, '863, and '532 patents. The accused products or devices include the Denon DVD-2500BTCI and the Denon DVD-1940CI, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

165. Denon offers to sell or sells within the United States or imports into the United States material components of TVI's patented inventions, such as software loaded onto the accused Denon devices, and/or firmware and/or hardware (e.g., chipsets) contained in the accused Denon devices. Denon knows that those material components are (1) especially made or especially adapted for use with the infringing automatic playback technology in the accused Denon devices, resulting in infringement of apparatus and/or method claims of the patents-in-suit,

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1 and (2) are not staple articles or commodities of commerce suitable for substantial non-infringing
2 use.

3 166. Denon's customers who purchase the accused Denon devices use those devices in
4 a manner (e.g., use the automatic playback technology with DVD and/or Blu-ray discs) that
5 directly infringes one or more claims of the patents-in-suit.

6 167. Denon actively and knowingly induces its customers who purchase the accused
7 Denon devices to directly infringe one or more claims of the patents-in-suit.

8 168. Denon configures the accused Denon devices to automatically run and/or utilize
9 the automatic playback technology upon insertion of DVD and/or Blu-ray discs into the accused
10 Denon devices by a user. Denon also, or alternatively, instructs its customers through manuals
11 and/or other means to enable and/or use the automatic playback technology in the accused Denon
12 devices.

13 169. At least the actions described in the preceding paragraph induce Denon's
14 customers to directly infringe one or more claims of the patents-in-suit. Denon, furthermore,
15 knows or should know that its actions induce actual infringement.

16 170. Denon's direct and indirect infringement of the '307, '156, '863, and '532 patents
17 has injured TVI and will cause irreparable injury in the future unless Denon is enjoined from
18 infringing the patents.

19 **COUNT I — PATENT INFRINGEMENT OF THE '307 PATENT BY SONY**

20 171. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
21 paragraphs of this complaint and incorporates them herein.

22 172. Sony Corporation, Sony Corporation of America, and Sony Electronics, Inc. have
23 infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or
24 more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing
25 to be supplied, using, and/or causing to be used, in or into the United States, devices and/or
26 systems and methods that embody or practice the inventions claimed in the '307 patent. The
27 Sony products that embody the inventions claimed in the '307 patent include, but are not limited
28 to, the Sony BDP-S550 and the Sony DVPNS700H/B and all other Blu-ray players and DVD

1 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
2 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
3 without rebooting.

4 173. Sony Corporation, Sony Computer Entertainment Inc., and Sony Computer
5 Entertainment America, Inc. have infringed and continue to infringe—directly, contributorily,
6 and/or by active inducement—one or more claims of the '307 patent, by making, importing,
7 offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or
8 into the United States, devices and/or systems and methods that embody or practice the inventions
9 claimed in the '307 patent. The Sony products that embody the inventions claimed in the '307
10 patent include, but are not limited to, the Sony PS3 and all other Blu-ray players and DVD
11 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
12 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
13 without rebooting.

14 174. The infringement by Sony of the '307 patent has injured and continues to injure
15 TVI, and will cause irreparable harm unless Sony is enjoined from infringing the patent.

16 175. The infringement by Sony of the '307 patent is and has been willful.

17 176. TVI has complied with the statutory requirement of giving notice of the '307
18 patent to Sony at least by filing the Dismissed Action.

19 **COUNT II — PATENT INFRINGEMENT OF THE '156 PATENT BY SONY**

20 177. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
21 paragraphs of this complaint and incorporates them herein.

22 178. Sony Corporation, Sony Corporation of America, and Sony Electronics, Inc. have
23 infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or
24 more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing
25 to be supplied, using, and/or causing to be used, in or into the United States, devices and/or
26 systems and methods that embody or practice the inventions claimed in the '156 patent. The
27 Sony products that embody the inventions claimed in the '156 patent include, but are not limited
28 to, the Sony BDP-S550 and the Sony DVPNS700H/B and all other Blu-ray players and DVD

1 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
2 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
3 without rebooting.

4 179. Sony Corporation, Sony Computer Entertainment Inc., and Sony Computer
5 Entertainment America, Inc. have infringed and continue to infringe—directly, contributorily,
6 and/or by active inducement—one or more claims of the '156 patent, by making, importing,
7 offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or
8 into the United States, devices and/or systems and methods that embody or practice the inventions
9 claimed in the '156 patent. The Sony products that embody the inventions claimed in the '156
10 patent include, but are not limited to, the Sony PS3 and all other Blu-ray players and DVD
11 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
12 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
13 without rebooting.

14 180. The infringement by Sony of the '156 patent has injured and continues to injure
15 TVI, and will cause irreparable harm unless Sony is enjoined from infringing the patent.

16 181. The infringement by Sony of the '156 patent is and has been willful.

17 182. TVI has complied with the statutory requirement of giving notice of the '156
18 patent to Sony at least by filing the Dismissed Action.

19 **COUNT III — PATENT INFRINGEMENT OF THE '863 PATENT BY SONY**

20 183. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
21 paragraphs of this complaint and incorporates them herein.

22 184. Sony Corporation, Sony Corporation of America, and Sony Electronics, Inc. have
23 infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or
24 more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing
25 to be supplied, using, and/or causing to be used, in or into the United States, devices and/or
26 systems and methods that embody or practice the inventions claimed in the '863 patent. The
27 Sony products that embody the inventions claimed in the '863 patent include, but are not limited
28 to, the Sony BDP-S550 and the Sony DVPNS700H/B and all other Blu-ray players and DVD

1 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
2 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
3 without rebooting.

4 185. Sony Corporation, Sony Computer Entertainment Inc., and Sony Computer
5 Entertainment America, Inc. have infringed and continue to infringe—directly, contributorily,
6 and/or by active inducement—one or more claims of the '863 patent, by making, importing,
7 offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or
8 into the United States, devices and/or systems and methods that embody or practice the inventions
9 claimed in the '863 patent. The Sony products that embody the inventions claimed in the '863
10 patent include, but are not limited to, the Sony PS3 and all other Blu-ray players and DVD
11 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
12 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
13 without rebooting.

14 186. The infringement by Sony of the '863 patent has injured and continues to injure
15 TVI, and will cause irreparable harm unless Sony is enjoined from infringing the patent.

16 187. The infringement by Sony of the '863 patent is and has been willful.

17 188. TVI has complied with the statutory requirement of giving notice of the '863
18 patent to Sony at least by filing the Dismissed Action.

19 **COUNT IV — PATENT INFRINGEMENT OF THE '532 PATENT BY SONY**

20 189. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
21 paragraphs of this complaint and incorporates them herein.

22 190. Sony Corporation, Sony Corporation of America, and Sony Electronics, Inc. have
23 infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or
24 more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing
25 to be supplied, using, and/or causing to be used, in or into the United States, devices and/or
26 systems and methods that embody or practice the inventions claimed in the '532 patent. The
27 Sony products that embody the inventions claimed in the '532 patent include, but are not limited
28 to, the Sony BDP-S550 and the Sony DVPNS700H/B and all other Blu-ray players and DVD

1 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
2 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
3 without rebooting.

4 191. Sony Corporation, Sony Computer Entertainment Inc., and Sony Computer
5 Entertainment America, Inc. have infringed and continue to infringe—directly, contributorily,
6 and/or by active inducement—one or more claims of the '532 patent, by making, importing,
7 offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or
8 into the United States, devices and/or systems and methods that embody or practice the inventions
9 claimed in the '532 patent. The Sony products that embody the inventions claimed in the '532
10 patent include, but are not limited to, the Sony PS3 and all other Blu-ray players and DVD
11 players capable of, after initial boot-up, automatically detecting insertion of a storage medium,
12 such as a Blu-ray or DVD disc, and automatically starting a process or executing an application
13 without rebooting.

14 192. The infringement by Sony of the '532 patent has injured and continues to injure
15 TVI, and will cause irreparable harm unless Sony is enjoined from infringing the patent.

16 193. The infringement by Sony of the '532 patent is and has been willful.

17 194. TVI has complied with the statutory requirement of giving notice of the '532
18 patent to Sony at least by filing the Dismissed Action.

19 **COUNT V — PATENT INFRINGEMENT OF THE '307 PATENT BY SAMSUNG**

20 195. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
21 paragraphs of this complaint and incorporates them herein.

22 196. Samsung has infringed and continues to infringe—directly, contributorily, and/or
23 by active inducement—one or more claims of the '307 patent, by making, importing, offering to
24 sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the
25 United States, devices and/or systems and methods that embody or practice the inventions
26 claimed in the '307 patent. The Samsung products that embody the inventions claimed in the
27 '307 patent include, but are not limited to, the Samsung DVD1080P8 and the Samsung BD-
28 P2500 and all other Blu-ray players and DVD players capable of, after initial boot-up,

1 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
2 automatically starting a process or executing an application without rebooting.

3 197. The infringement by Samsung of the '307 patent has injured and continues to
4 injure TVI, and will cause irreparable harm unless Samsung is enjoined from infringing the
5 patent.

6 198. TVI has complied with the statutory requirement of giving notice of the '307
7 patent to Samsung at least by filing the Dismissed Action.

8 **COUNT VI — PATENT INFRINGEMENT OF THE '156 PATENT BY SAMSUNG**

9 199. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
10 paragraphs of this complaint and incorporates them herein.

11 200. Samsung has infringed and continues to infringe—directly, contributorily, and/or
12 by active inducement—one or more claims of the '156 patent, by making, importing, offering to
13 sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the
14 United States, devices and/or systems and methods that embody or practice the inventions
15 claimed in the '156 patent. The Samsung products that embody the inventions claimed in the
16 '156 patent include, but are not limited to, the Samsung DVD1080P8 and the Samsung BD-
17 P2500 and all other Blu-ray players and DVD players capable of, after initial boot-up,
18 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
19 automatically starting a process or executing an application without rebooting.

20 201. The infringement by Samsung of the '156 patent has injured and continues to
21 injure TVI, and will cause irreparable harm unless Samsung is enjoined from infringing the
22 patent.

23 202. TVI has complied with the statutory requirement of giving notice of the '156
24 patent to Samsung at least by filing the Dismissed Action.

25 **COUNT VII — PATENT INFRINGEMENT OF THE '863 PATENT BY SAMSUNG**

26 203. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
27 paragraphs of this complaint and incorporates them herein.

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204. Samsung has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Samsung products that embody the inventions claimed in the '863 patent include, but are not limited to, the Samsung DVD1080P8 and the Samsung BD-P2500 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

205. The infringement by Samsung of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless Samsung is enjoined from infringing the patent.

206. TVI has complied with the statutory requirement of giving notice of the '863 patent to Samsung at least by filing the Dismissed Action.

COUNT VIII — PATENT INFRINGEMENT OF THE '532 PATENT BY SAMSUNG

207. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

208. Samsung has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The Samsung products that embody the inventions claimed in the '532 patent include, but are not limited to, the Samsung DVD1080P8 and the Samsung BD-P2500 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

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209. The infringement by Samsung of the '532 patent has injured and continues to injure TVI, and will cause irreparable harm unless Samsung is enjoined from infringing the patent.

210. TVI has complied with the statutory requirement of giving notice of the '532 patent to Samsung at least by filing the Dismissed Action.

COUNT IX — PATENT INFRINGEMENT OF THE '307 PATENT BY PHILIPS

211. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

212. Philips has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The Philips products that embody the inventions claimed in the '307 patent include, but are not limited to, the Philips BDP7200, the Philips DVP5990, the Magnavox MDV453, and the Magnavox NB500MS9 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

213. The infringement by Philips of the '307 patent has injured and continues to injure TVI, and will cause irreparable harm unless Philips is enjoined from infringing the patent.

214. TVI has complied with the statutory requirement of giving notice of the '307 patent to Philips at least by filing the Dismissed Action.

COUNT X — PATENT INFRINGEMENT OF THE '156 PATENT BY PHILIPS

215. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

216. Philips has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the

1 '156 patent. The Philips products that embody the inventions claimed in the '156 patent include,
2 but are not limited to, the Philips BDP7200, the Philips DVP5990, the Magnavox MDV453, and
3 the Magnavox NB500MS9 and all other Blu-ray players and DVD players capable of, after initial
4 boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc,
5 and automatically starting a process or executing an application without rebooting.

6 217. The infringement by Philips of the '156 patent has injured and continues to injure
7 TVI, and will cause irreparable harm unless Philips is enjoined from infringing the patent.

8 218. TVI has complied with the statutory requirement of giving notice of the '156
9 patent to Philips at least by filing the Dismissed Action.

10 **COUNT XI— PATENT INFRINGEMENT OF THE '863 PATENT BY PHILIPS**

11 219. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
12 paragraphs of this complaint and incorporates them herein.

13 220. Philips has infringed and continues to infringe—directly, contributorily, and/or by
14 active inducement—one or more claims of the '863 patent, by making, importing, offering to sell,
15 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
16 States, devices and/or systems and methods that embody or practice the inventions claimed in the
17 '863 patent. The Philips products that embody the inventions claimed in the '863 patent include,
18 but are not limited to, the Philips BDP7200, the Philips DVP5990, the Magnavox MDV453, and
19 the Magnavox NB500MS9 and all other Blu-ray players and DVD players capable of, after initial
20 boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc,
21 and automatically starting a process or executing an application without rebooting.

22 221. The infringement by Philips of the '863 patent has injured and continues to injure
23 TVI, and will cause irreparable harm unless Philips is enjoined from infringing the patent.

24 222. TVI has complied with the statutory requirement of giving notice of the '863
25 patent to Philips at least by filing the Dismissed Action.

26 **COUNT XII — PATENT INFRINGEMENT OF THE '532 PATENT BY PHILIPS**

27 223. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
28 paragraphs of this complaint and incorporates them herein.

224. Philips has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The Philips products that embody the inventions claimed in the '532 patent include, but are not limited to, the Philips BDP7200, the Philips DVP5990, the Magnavox MDV453, and the Magnavox NB500MS9 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

225. The infringement by Philips of the '532 patent has injured and continues to injure TVI, and will cause irreparable harm unless Philips is enjoined from infringing the patent.

226. TVI has complied with the statutory requirement of giving notice of the '532 patent to Philips at least by filing the Dismissed Action.

COUNT XIII — PATENT INFRINGEMENT OF THE '307 PATENT BY TOSHIBA

227. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

228. Toshiba has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The Toshiba products that embody the inventions claimed in the '307 patent include, but are not limited to, the Toshiba XD-E500 and the Toshiba SD-6100 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

229. The infringement by Toshiba of the '307 patent has injured and continues to injure TVI, and will cause irreparable harm unless Toshiba is enjoined from infringing the patent.

230. The infringement by Toshiba of the '307 patent is and has been willful.

231. TVI has complied with the statutory requirement of giving notice of the '307 patent to Toshiba at least by filing the Dismissed Action.

COUNT XIV — PATENT INFRINGEMENT OF THE '156 PATENT BY TOSHIBA

232. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

233. Toshiba has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The Toshiba products that embody the inventions claimed in the '156 patent include, but are not limited to, the Toshiba XD-E500 and the Toshiba SD-6100 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

234. The infringement by Toshiba of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless Toshiba is enjoined from infringing the patent.

235. The infringement by Toshiba of the '156 patent is and has been willful.

236. TVI has complied with the statutory requirement of giving notice of the '156 patent to Toshiba at least by filing the Dismissed Action.

COUNT XV — PATENT INFRINGEMENT OF THE '863 PATENT BY TOSHIBA

237. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

238. Toshiba has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Toshiba products that embody the inventions claimed in the '863 patent include, but are not limited to, the Toshiba XD-E500 and the Toshiba SD-6100 and all other Blu-ray

1 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
2 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
3 an application without rebooting.

4 239. The infringement by Toshiba of the '863 patent has injured and continues to injure
5 TVI, and will cause irreparable harm unless Toshiba is enjoined from infringing the patent.

6 240. The infringement by Toshiba of the '863 patent is and has been willful.

7 241. TVI has complied with the statutory requirement of giving notice of the '863
8 patent to Toshiba at least by filing the Dismissed Action.

9 **COUNT XVI — PATENT INFRINGEMENT OF THE '532 PATENT BY TOSHIBA**

10 242. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
11 paragraphs of this complaint and incorporates them herein.

12 243. Toshiba has infringed and continues to infringe—directly, contributorily, and/or by
13 active inducement—one or more claims of the '532 patent, by making, importing, offering to sell,
14 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
15 States, devices and/or systems and methods that embody or practice the inventions claimed in the
16 '532 patent. The Toshiba products that embody the inventions claimed in the '532 patent include,
17 but are not limited to, the Toshiba XD-E500 and the Toshiba SD-6100 and all other Blu-ray
18 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
19 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
20 an application without rebooting.

21 244. The infringement by Toshiba of the '532 patent has injured and continues to injure
22 TVI, and will cause irreparable harm unless Toshiba is enjoined from infringing the patent.

23 245. The infringement by Toshiba of the '532 patent is and has been willful.

24 246. TVI has complied with the statutory requirement of giving notice of the '532
25 patent to Toshiba at least by filing the Dismissed Action.

26 **COUNT XVII — PATENT INFRINGEMENT OF THE '307 PATENT BY PANASONIC**

27 247. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
28 paragraphs of this complaint and incorporates them herein.

248. Panasonic has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The Panasonic products that embody the inventions claimed in the '307 patent include, but are not limited to, the Panasonic DMP-BD35 and the Panasonic DVD-S54 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

249. The infringement by Panasonic of the '307 patent has injured and continues to injure TVI, and will cause irreparable harm unless Panasonic is enjoined from infringing the patent.

250. TVI has complied with the statutory requirement of giving notice of the '307 patent to Panasonic at least by filing the Dismissed Action.

COUNT XVIII — PATENT INFRINGEMENT OF THE '156 PATENT BY PANASONIC

251. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

252. Panasonic has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The Panasonic products that embody the inventions claimed in the '156 patent include, but are not limited to, the Panasonic DMP-BD35 and the Panasonic DVD-S54 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

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253. The infringement by Panasonic of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless Panasonic is enjoined from infringing the patent.

254. TVI has complied with the statutory requirement of giving notice of the '156 patent to Panasonic at least by filing the Dismissed Action.

COUNT XIX — PATENT INFRINGEMENT OF THE '863 PATENT BY PANASONIC

255. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

256. Panasonic has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Panasonic products that embody the inventions claimed in the '863 patent include, but are not limited to, the Panasonic DMP-BD35 and the Panasonic DVD-S54 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

257. The infringement by Panasonic of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless Panasonic is enjoined from infringing the patent.

258. TVI has complied with the statutory requirement of giving notice of the '863 patent to Panasonic at least by filing the Dismissed Action.

COUNT XX — PATENT INFRINGEMENT OF THE '532 PATENT BY PANASONIC

259. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

260. Panasonic has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the

1 United States, devices and/or systems and methods that embody or practice the inventions
2 claimed in the '532 patent. The Panasonic products that embody the inventions claimed in the
3 '532 patent include, but are not limited to, the Panasonic DMP-BD35 and the Panasonic DVD-
4 S54 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically
5 detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically
6 starting a process or executing an application without rebooting.

7 261. The infringement by Panasonic of the '532 patent has injured and continues to
8 injure TVI, and will cause irreparable harm unless Panasonic is enjoined from infringing the
9 patent.

10 262. TVI has complied with the statutory requirement of giving notice of the '532
11 patent to Panasonic at least by filing the Dismissed Action.

12 **COUNT XXI — PATENT INFRINGEMENT OF THE '307 PATENT BY JVC**

13 263. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
14 paragraphs of this complaint and incorporates them herein.

15 264. JVC has infringed and continues to infringe—directly, contributorily, and/or by
16 active inducement—one or more claims of the '307 patent, by making, importing, offering to sell,
17 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
18 States, devices and/or systems and methods that embody or practice the inventions claimed in the
19 '307 patent. The JVC products that embody the inventions claimed in the '307 patent include,
20 but are not limited to, the JVC DR-MV79B and the JVC XV-BP1, and all other Blu-ray players
21 and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage
22 medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an
23 application without rebooting.

24 265. The infringement by JVC of the '307 patent has injured and continues to injure
25 TVI, and will cause irreparable harm unless JVC is enjoined from infringing the patent.

26 266. TVI has complied with the statutory requirement of giving notice of the '307
27 patent to JVC at least by filing the Dismissed Action.

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COUNT XXII — PATENT INFRINGEMENT OF THE '156 PATENT BY JVC

267. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

268. JVC has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The JVC products that embody the inventions claimed in the '156 patent include, but are not limited to, the JVC DR-MV79B and the JVC XV-BP1, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

269. The infringement by JVC of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless JVC is enjoined from infringing the patent.

270. TVI has complied with the statutory requirement of giving notice of the '156 patent to JVC at least by filing the Dismissed Action.

COUNT XXIII — PATENT INFRINGEMENT OF THE '863 PATENT BY JVC

271. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

272. JVC has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The JVC products that embody the inventions claimed in the '863 patent include, but are not limited to, the JVC DR-MV79B and the JVC XV-BP1, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

273. The infringement by JVC of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless JVC is enjoined from infringing the patent.

274. TVI has complied with the statutory requirement of giving notice of the '863 patent to JVC at least by filing the Dismissed Action.

COUNT XXIV — PATENT INFRINGEMENT OF THE '532 PATENT BY JVC

275. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

276. JVC has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The JVC products that embody the inventions claimed in the '532 patent include, but are not limited to, the JVC DR-MV79B and the JVC XV-BP1, and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

277. The infringement by JVC of the '532 patent has injured and continues to injure TVI, and will cause irreparable harm unless JVC is enjoined from infringing the patent.

278. TVI has complied with the statutory requirement of giving notice of the '532 patent to JVC at least by filing the Dismissed Action.

COUNT XXV — PATENT INFRINGEMENT OF THE '307 PATENT BY LG

279. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

280. LG Electronics, Inc. and LG Electronics U.S.A., Inc. have infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The LG products that embody

1 the inventions claimed in the '307 patent include, but are not limited to, the LG BD300 and the
2 LG DN898 and all other Blu-ray players and DVD players capable of, after initial boot-up,
3 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
4 automatically starting a process or executing an application without rebooting.

5 281. LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith Electronics LLC
6 have infringed and continue to infringe—directly, contributorily, and/or by active inducement—
7 one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying,
8 causing to be supplied, using, and/or causing to be used, in or into the United States, devices
9 and/or systems and methods that embody or practice the inventions claimed in the '307 patent.
10 The Zenith products that embody the inventions claimed in the '307 patent include, but are not
11 limited to, the Zenith DVB612 and all other Blu-ray players and DVD players capable of, after
12 initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD
13 disc, and automatically starting a process or executing an application without rebooting.

14 282. The infringement by LG of the '307 patent has injured and continues to injure
15 TVI, and will cause irreparable harm unless LG is enjoined from infringing the patent.

16 283. TVI has complied with the statutory requirement of giving notice of the '307
17 patent to LG at least by filing the Dismissed Action.

18 **COUNT XXVI — PATENT INFRINGEMENT OF THE '156 PATENT BY LG**

19 284. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
20 paragraphs of this complaint and incorporates them herein.

21 285. LG Electronics, Inc. and LG Electronics U.S.A., Inc. have infringed and continue
22 to infringe—directly, contributorily, and/or by active inducement—one or more claims of the
23 '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied,
24 using, and/or causing to be used, in or into the United States, devices and/or systems and methods
25 that embody or practice the inventions claimed in the '156 patent. The LG products that embody
26 the inventions claimed in the '156 patent include, but are not limited to, the LG BD300 and the
27 LG DN898 and all other Blu-ray players and DVD players capable of, after initial boot-up,
28 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and

1 automatically starting a process or executing an application without rebooting.

2 286. LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith Electronics LLC
3 have infringed and continue to infringe—directly, contributorily, and/or by active inducement—
4 one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying,
5 causing to be supplied, using, and/or causing to be used, in or into the United States, devices
6 and/or systems and methods that embody or practice the inventions claimed in the '156 patent.
7 The Zenith products that embody the inventions claimed in the '156 patent include, but are not
8 limited to, the Zenith DVB612 and all other Blu-ray players and DVD players capable of, after
9 initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD
10 disc, and automatically starting a process or executing an application without rebooting.

11 287. The infringement by LG of the '156 patent has injured and continues to injure
12 TVI, and will cause irreparable harm unless LG is enjoined from infringing the patent.

13 288. TVI has complied with the statutory requirement of giving notice of the '156
14 patent to LG at least by filing the Dismissed Action.

15 **COUNT XXVII — PATENT INFRINGEMENT OF THE '863 PATENT BY LG**

16 289. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
17 paragraphs of this complaint and incorporates them herein.

18 290. LG Electronics, Inc. and LG Electronics U.S.A., Inc. have infringed and continue
19 to infringe—directly, contributorily, and/or by active inducement—one or more claims of the
20 '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied,
21 using, and/or causing to be used, in or into the United States, devices and/or systems and methods
22 that embody or practice the inventions claimed in the '863 patent. The LG products that embody
23 the inventions claimed in the '863 patent include, but are not limited to, the LG BD300 and the
24 LG DN898 and all other Blu-ray players and DVD players capable of, after initial boot-up,
25 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
26 automatically starting a process or executing an application without rebooting.

27 291. LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith Electronics LLC
28 have infringed and continue to infringe—directly, contributorily, and/or by active inducement—

one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Zenith products that embody the inventions claimed in the '863 patent include, but are not limited to, the Zenith DVB612 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

292. The infringement by LG of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless LG is enjoined from infringing the patent.

293. TVI has complied with the statutory requirement of giving notice of the '863 patent to LG at least by filing the Dismissed Action.

COUNT XXVIII — PATENT INFRINGEMENT OF THE '532 PATENT BY LG

294. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

295. LG Electronics, Inc. and LG Electronics U.S.A., Inc. have infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The LG products that embody the inventions claimed in the '532 patent include, but are not limited to, the LG BD300 and the LG DN898 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

296. LG Electronics, Inc., LG Electronics U.S.A., Inc., and Zenith Electronics LLC have infringed and continue to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent.

1 The Zenith products that embody the inventions claimed in the '532 patent include, but are not
2 limited to, the Zenith DVB612 and all other Blu-ray players and DVD players capable of, after
3 initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD
4 disc, and automatically starting a process or executing an application without rebooting.

5 297. The infringement by LG of the '532 patent has injured and continues to injure
6 TVI, and will cause irreparable harm unless LG is enjoined from infringing the patent.

7 298. TVI has complied with the statutory requirement of giving notice of the '532
8 patent to LG at least by filing the Dismissed Action.

9 **COUNT XXIX — PATENT INFRINGEMENT OF THE '307 PATENT BY PIONEER**

10 299. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
11 paragraphs of this complaint and incorporates them herein.

12 300. Pioneer has infringed and continues to infringe—directly, contributorily, and/or by
13 active inducement—one or more claims of the '307 patent, by making, importing, offering to sell,
14 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
15 States, devices and/or systems and methods that embody or practice the inventions claimed in the
16 '307 patent. The Pioneer products that embody the inventions claimed in the '307 patent include,
17 but are not limited to, the Pioneer BDP-51FD and the Pioneer DV-410V-K and all other Blu-ray
18 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
19 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
20 an application without rebooting.

21 301. The infringement by Pioneer of the '307 patent has injured and continues to injure
22 TVI, and will cause irreparable harm unless Pioneer is enjoined from infringing the patent.

23 302. TVI has complied with the statutory requirement of giving notice of the '307
24 patent to Pioneer at least by filing the Dismissed Action.

25 **COUNT XXX — PATENT INFRINGEMENT OF THE '156 PATENT BY PIONEER**

26 303. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
27 paragraphs of this complaint and incorporates them herein.

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304. Pioneer has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The Pioneer products that embody the inventions claimed in the '156 patent include, but are not limited to, the Pioneer BDP-51FD and the Pioneer DV-410V-K and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

305. The infringement by Pioneer of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless Pioneer is enjoined from infringing the patent.

306. TVI has complied with the statutory requirement of giving notice of the '156 patent to Pioneer at least by filing the Dismissed Action.

COUNT XXXI — PATENT INFRINGEMENT OF THE '863 PATENT BY PIONEER

307. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

308. Pioneer has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Pioneer products that embody the inventions claimed in the '863 patent include, but are not limited to, the Pioneer BDP-51FD and the Pioneer DV-410V-K and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

309. The infringement by Pioneer of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless Pioneer is enjoined from infringing the patent.

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310. TVI has complied with the statutory requirement of giving notice of the '863 patent to Pioneer at least by filing the Dismissed Action.

COUNT XXXII — PATENT INFRINGEMENT OF THE '532 PATENT BY PIONEER

311. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

312. Pioneer has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The Pioneer products that embody the inventions claimed in the '532 patent include, but are not limited to, the Pioneer BDP-51FD and the Pioneer DV-410V-K and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

313. The infringement by Pioneer of the '532 patent has injured and continues to injure TVI, and will cause irreparable harm unless Pioneer is enjoined from infringing the patent.

314. TVI has complied with the statutory requirement of giving notice of the '532 patent to Pioneer at least by filing the Dismissed Action.

COUNT XXXIII — PATENT INFRINGEMENT OF THE '307 PATENT BY SHARP

315. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

316. Sharp has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The Sharp products that embody the inventions claimed in the '307 patent include, but are not limited to, the Sharp BD-HP50U and the Sharp BD-HP22U and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a

1 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
2 an application without rebooting.

3 317. The infringement by Sharp of the '307 patent has injured and continues to injure
4 TVI, and will cause irreparable harm unless Sharp is enjoined from infringing the patent.
5 TVI has complied with the statutory requirement of giving notice of the '307 patent to Sharp at
6 least by filing the Dismissed Action.

7 **COUNT XXXIV — PATENT INFRINGEMENT OF THE '156 PATENT BY SHARP**

8 318. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
9 paragraphs of this complaint and incorporates them herein.

10 319. Sharp has infringed and continues to infringe—directly, contributorily, and/or by
11 active inducement—one or more claims of the '156 patent, by making, importing, offering to sell,
12 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
13 States, devices and/or systems and methods that embody or practice the inventions claimed in the
14 '156 patent. The Sharp products that embody the inventions claimed in the '156 patent include,
15 but are not limited to, the Sharp BD-HP50U and the Sharp BD-HP22U and all other Blu-ray
16 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
17 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
18 an application without rebooting.

19 320. The infringement by Sharp of the '156 patent has injured and continues to injure
20 TVI, and will cause irreparable harm unless Sharp is enjoined from infringing the patent.

21 321. TVI has complied with the statutory requirement of giving notice of the '156
22 patent to Sharp at least by filing the Dismissed Action.

23 **COUNT XXXV — PATENT INFRINGEMENT OF THE '863 PATENT BY SHARP**

24 322. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
25 paragraphs of this complaint and incorporates them herein.

26 323. Sharp has infringed and continues to infringe—directly, contributorily, and/or by
27 active inducement—one or more claims of the '863 patent, by making, importing, offering to sell,
28 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United

1 States, devices and/or systems and methods that embody or practice the inventions claimed in the
2 '863 patent. The Sharp products that embody the inventions claimed in the '863 patent include,
3 but are not limited to, the Sharp BD-HP50U and the Sharp BD-HP22U and all other Blu-ray
4 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
5 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
6 an application without rebooting.

7 324. The infringement by Sharp of the '863 patent has injured and continues to injure
8 TVI, and will cause irreparable harm unless Sharp is enjoined from infringing the patent.

9 325. TVI has complied with the statutory requirement of giving notice of the '863
10 patent to Sharp at least by filing the Dismissed Action.

11 **COUNT XXXVI — PATENT INFRINGEMENT OF THE '532 PATENT BY SHARP**

12 326. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
13 paragraphs of this complaint and incorporates them herein.

14 327. Sharp has infringed and continues to infringe—directly, contributorily, and/or by
15 active inducement—one or more claims of the '532 patent, by making, importing, offering to sell,
16 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
17 States, devices and/or systems and methods that embody or practice the inventions claimed in the
18 '532 patent. The Sharp products that embody the inventions claimed in the '532 patent include,
19 but are not limited to, the Sharp BD-HP50U and the Sharp BD-HP22U and all other Blu-ray
20 players and DVD players capable of, after initial boot-up, automatically detecting insertion of a
21 storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing
22 an application without rebooting.

23 328. The infringement by Sharp of the '532 patent has injured and continues to injure
24 TVI, and will cause irreparable harm unless Sharp is enjoined from infringing the patent.

25 329. TVI has complied with the statutory requirement of giving notice of the '532
26 patent to Sharp at least by filing the Dismissed Action.

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COUNT XXXVII — PATENT INFRINGEMENT OF THE '307 PATENT BY FUNAI

330. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

331. Funai has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '307 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '307 patent. The Funai products that embody the inventions claimed in the '307 patent include, but are not limited to, the Sylvania NB500SL9, the Sylvania DP170SL8, and the Emerson LD195EM8 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

332. The infringement by Funai of the '307 patent has injured and continues to injure TVI, and will cause irreparable harm unless Funai is enjoined from infringing the patent.

333. TVI has complied with the statutory requirement of giving notice of the '307 patent to Funai at least by filing the Dismissed Action.

COUNT XXXVIII — PATENT INFRINGEMENT OF THE '156 PATENT BY FUNAI

334. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

335. Funai has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The Funai products that embody the inventions claimed in the '156 patent include, but are not limited to, the Sylvania NB500SL9, the Sylvania DP170SL8, and the Emerson LD195EM8 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

336. The infringement by Funai of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless Funai is enjoined from infringing the patent.

337. TVI has complied with the statutory requirement of giving notice of the '156 patent to Funai at least by filing the Dismissed Action.

COUNT XXXIX — PATENT INFRINGEMENT OF THE '863 PATENT BY FUNAI

338. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

339. Funai has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Funai products that embody the inventions claimed in the '863 patent include, but are not limited to, the Sylvania NB500SL9, the Sylvania DP170SL8, and the Emerson LD195EM8 and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

340. The infringement by Funai of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless Funai is enjoined from infringing the patent.

341. TVI has complied with the statutory requirement of giving notice of the '863 patent to Funai at least by filing the Dismissed Action.

COUNT XL — PATENT INFRINGEMENT OF THE '532 PATENT BY FUNAI

342. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

343. Funai has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The Funai products that embody the inventions claimed in the '532 patent include,

1 but are not limited to, the Sylvania NB500SL9, the Sylvania DP170SL8, and the Emerson
2 LD195EM8 and all other Blu-ray players and DVD players capable of, after initial boot-up,
3 automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and
4 automatically starting a process or executing an application without rebooting.

5 344. The infringement by Funai of the '532 patent has injured and continues to injure
6 TVI, and will cause irreparable harm unless Funai is enjoined from infringing the patent.

7 345. TVI has complied with the statutory requirement of giving notice of the '532
8 patent to Funai at least by filing the Dismissed Action.

9 **COUNT XLI — PATENT INFRINGEMENT OF THE '307 PATENT BY DENON**

10 346. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
11 paragraphs of this complaint and incorporates them herein.

12 347. Denon has infringed and continues to infringe—directly, contributorily, and/or by
13 active inducement—one or more claims of the '307 patent, by making, importing, offering to sell,
14 selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United
15 States, devices and/or systems and methods that embody or practice the inventions claimed in the
16 '307 patent. The Denon products that embody the inventions claimed in the '307 patent include,
17 but are not limited to, the Denon DVD-2500BTCI and the Denon DVD-1940CI and all other Blu-
18 ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of
19 a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or
20 executing an application without rebooting.

21 348. The infringement by Denon of the '307 patent has injured and continues to injure
22 TVI, and will cause irreparable harm unless Denon is enjoined from infringing the patent.

23 349. TVI has complied with the statutory requirement of giving notice of the '307
24 patent to Denon at least by filing the Dismissed Action.

25 **COUNT XLII — PATENT INFRINGEMENT OF THE '156 PATENT BY DENON**

26 350. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous
27 paragraphs of this complaint and incorporates them herein.

28 ///

351. Denon has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '156 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '156 patent. The Denon products that embody the inventions claimed in the '156 patent include, but are not limited to, the Denon DVD-2500BTCI and the Denon DVD-1940CI and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

352. The infringement by Denon of the '156 patent has injured and continues to injure TVI, and will cause irreparable harm unless Denon is enjoined from infringing the patent.

353. TVI has complied with the statutory requirement of giving notice of the '156 patent to Denon at least by filing the Dismissed Action.

COUNT XLIII — PATENT INFRINGEMENT OF THE '863 PATENT BY DENON

354. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

355. Denon has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '863 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '863 patent. The Denon products that embody the inventions claimed in the '863 patent include, but are not limited to, the Denon DVD-2500BTCI and the Denon DVD-1940CI and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

356. The infringement by Denon of the '863 patent has injured and continues to injure TVI, and will cause irreparable harm unless Denon is enjoined from infringing the patent.

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357. TVI has complied with the statutory requirement of giving notice of the '863 patent to Denon at least by filing the Dismissed Action.

COUNT XLIV — PATENT INFRINGEMENT OF THE '532 PATENT BY DENON

358. Plaintiff TVI restates and re-alleges each of the allegations in each of the previous paragraphs of this complaint and incorporates them herein.

359. Denon has infringed and continues to infringe—directly, contributorily, and/or by active inducement—one or more claims of the '532 patent, by making, importing, offering to sell, selling, supplying, causing to be supplied, using, and/or causing to be used, in or into the United States, devices and/or systems and methods that embody or practice the inventions claimed in the '532 patent. The Denon products that embody the inventions claimed in the '532 patent include, but are not limited to, the Denon DVD-2500BTCI and the Denon DVD-1940CI and all other Blu-ray players and DVD players capable of, after initial boot-up, automatically detecting insertion of a storage medium, such as a Blu-ray or DVD disc, and automatically starting a process or executing an application without rebooting.

360. The infringement by Denon of the '532 patent has injured and continues to injure TVI, and will cause irreparable harm unless Denon is enjoined from infringing the patent.

361. TVI has complied with the statutory requirement of giving notice of the '532 patent to Denon at least by filing the Dismissed Action.

PRAYER FOR RELIEF

WHEREFORE Plaintiff TVI prays for the following judgment and relief:

- a. that each of the Defendants has infringed the '307, '156, '863, and/or '532 patents;
- b. that Defendants Sony and Toshiba have willfully infringed the '307, '156, '863, and/or '532 patents;
- c. that Plaintiff is entitled to temporary and permanent injunctions enjoining each of the Defendants, and their agents, servants, officers, directors, employees, and persons or entities acting in concert with each of the Defendants, from infringing directly or indirectly, inducing others to infringe, and/or contributing to the infringement of the '307, '156, '863, and/or '532 patents, or, in the alternative, that each of the Defendants take a compulsory license to the '307,

1 '156, '863, and/or '532 patents;

2 d. that each of the Defendants shall account for and pay to Plaintiff the damages to
3 which it is entitled as a consequence of Defendants' infringement of the '307, '156, '863, and/or
4 '532 patents;

5 e. that each of the Defendants shall account for and pay to Plaintiff the damages to
6 which it is entitled for Defendants' continued infringement following the period of infringement
7 established by Plaintiffs at trial;

8 f. that Defendants Sony and Toshiba shall account for and pay to Plaintiff treble
9 damages for their willful infringement of the patents-in-suit;

10 g. that this case is exceptional under 35 U.S.C. § 285 and that TVI is entitled to its
11 reasonable attorney fees as the prevailing party in the case;

12 h. that Plaintiff is entitled to interests and costs;

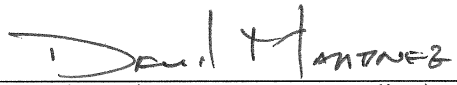
13 i. any other relief that the Court finds just and equitable.

14 **DEMAND FOR JURY TRIAL**

15 Pursuant to Fed. R. Civ. P. 38(a), Plaintiff TVI demands a jury trial on all issues so
16 triable.

17 DATED: February 2, 2010

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

18 By: 
19 Ronald J. Schutz (*Pro Hac Vice* pending)
20 Richard M. Martinez (*Pro Hac Vice* pending)
21 Sang Young A. Brodie (*Pro Hac Vice* pending)
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